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October 27, 2023

Hon. Lewis J. Liman, U.S.D.J.
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007

Via ECF

**Re: 689 Eatery Corp., etc. et ano. v. City of New York, et al.,
Docket No. 02 CV 4431 (LJL) (“Action No. 1”)**

**59 Murray Enterprises, Inc. etc., et ano. v. City of New York, et al.,
Docket No. 02 CV 4432 (LJL) (“Action No. 2”)**

**Club at 60th Street, et al. v. City of New York
Docket No. 02 CV 8333 (LJL) (“Action No. 3”)**

**336 LLC, etc, et al. v. City of New York
Docket No. 18 CV 3732 (LJL) (“Action No. 4”)**

Dear Judge Liman:

We represent the plaintiffs in Action No. 2 and on behalf of all counsel for all parties, in all of the actions, write jointly with respect to the trial presently scheduled to be held in this matter on November 15, 2023.

Counsel for all parties have conferred and agree to a trial on papers as previously discussed with the Court. Specifically, each party will submit its case-in-chief based on the declarations previously filed and identified, and each party waives the right to cross-examine witnesses, except for witnesses (if any) which the Court may wish to hear in

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person. To that end, the parties respectfully request the earliest possible advice of the Court if there are any such witnesses, so that arrangements may be made for any such witness to testify.

Counsel have also prepared a joint list of exhibits and declarations, hyperlinked to each document as filed in Action No. 3, other than documents filed only in other actions (which are hyperlinked to the action in which the documents were filed), which will be filed with the Court. Objections to any specific exhibit or declaration will be noted in an “Objections” column. The joint list of exhibits and any parties’ objection to a particular exhibit will be filed on October 30, 2023.

However, after consulting with each other, counsel require additional time to submit their objections to portions of declarations, as previously directed by the Court. Those objections are presently due on October 30, 2023. Counsel request that the deadline for submitting the list of objections to declarations be extended to November 3, 2023.

As always, counsel thank the Court in advance for its attention to these matters.

Respectfully,

Edward S. Rudofsky
Edward S. Rudofsky

Cc: All Counsel (Via E-Filing)